

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**LEE SCHMIDT and CRYSTAL ARRINGTON,**

**Plaintiff,**

**v.**

**Civil Action No.: 2:24-cv-621**

**CITY OF NORFOLK, NORFOLK POLICE  
DEPARTMENT, and MARK TALBOT, in his  
Official capacity as the Norfolk Chief of Police,**

**Defendants.**

**MOTION TO DISMISS COMPLAINT**

**NOW COME**, the Defendants, the City of Norfolk, Norfolk Police Department, and Mark Talbot, by counsel, and pursuant to Rule 12(b)(6), Rule 12(b)(1), and Rule 12(b)(2) of the Federal Rules of Civil Procedure, hereby move this Honorable Court to enter an Order dismissing the Complaint with prejudice for failure to state a claim upon which relief can be granted, lack of subject matter jurisdiction, and lack of personal jurisdiction as to Defendant the Norfolk Police Department, as more fully set forth in the accompanying Memorandum in Support.

**CITY OF NORFOLK,  
NORFOLK POLICE DEPARTMENT, and  
MARK TALBOT**

/s/

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Karla J. Soloria (VSB 82674)  
Assistant City Attorney  
Adam D. Melita (VSB 41716)  
Chief Deputy City Attorney  
karla.soloria@norfolk.gov  
adam.melita@norfolk.gov  
City of Norfolk Department of Law  
810 Union Street, Suite 900  
Norfolk, VA 23510  
Telephone: (757) 664-4529  
Facsimile: (757) 664-4201

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of November, 2024 I will electronically file the foregoing *Motion to Dismiss* with the Clerk of Court using the CM/ECF system, which will send a copy of the foregoing to,

Robert Frommer  
Joshua Windham  
Michael B. Soyfer  
Institute for Justice  
901 N. Glebe Rd., Suite 900  
Arlington, VA 22203  
rfrommer@ij.org  
jwindham@ij.org  
msoyfer@ij.org  
Telephone: (703) 682-9320  
Fax: (703) 682-9321

*Counsel for Plaintiffs*

/s/ \_\_\_\_\_  
Karla J. Soloria (VSB 82674)  
Assistant City Attorney  
karla.soloria@norfolk.gov  
City of Norfolk Department of Law  
810 Union Street, Suite 900  
Norfolk, VA 23510  
Telephone: (757) 664-4529  
Facsimile: (757) 664-4201

*Counsel for Defendants*